

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

LISA COOPER,

Plaintiff,

vs.

THE SMITHFIELD PACKING COMPANY,
INC.,

Defendant.

5:14-CV-115-F

Decision by Court.

This action came before the Honorable James C. Fox, Senior United States District Judge, for ruling as follows:

IT IS ORDERED, ADJUDGED AND DECREED that pursuant to the court's order dated 2/27/2014, the Defendant's Motion to Dismiss the Complaint [DE-7] is DENIED as moot. Defendant's Motion to Dismiss the Amended Complaint [DE-14] is ALLOWED as follows: Plaintiff's claim for sexual harassment based on a hostile work environment is DISMISSED without prejudice to Plaintiff to file a Second Amended Complaint and the remainder of the Plaintiff's claims are DISMISSED with prejudice.

IT IS ORDERED, ADJUDGED AND DECREED that pursuant to the court's order dated 8/14/2015, Defendant's Motion to Dismiss the Plaintiff's TAC [DE-29] is ALLOWED IN PART and DENIED IN PART. In all other respects, the Defendant's Motion to Dismiss Plaintiff's TAC [DE-29] is DENIED.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the Defendant's Motion for Summary Judgment [DE-48] is ALLOWED. The Clerk of Court is DIRECTED to close this case.

This Judgment Filed and Entered on December 1, 2016, and Copies To:

Angela Newell Gray (via CM/ECF Notice of Electronic Filing)
Kurt G. Larkin (via CM/ECF Notice of Electronic Filing)
Melissa A. Romanzo, (via CM/ECF Notice of Electronic Filing)
Brian Christopher Ussery (via CM/ECF Notice of Electronic Filing)
Holly H. Williamson (via CM/ECF Notice of Electronic Filing)

DATE
December 1, 2016

JULIE RICHARDS JOHNSTON, CLERK
/s/ Susan K. Edwards
(By) Susan K. Edwards, Deputy Clerk